

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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IN Re K-DUR ANTITRUST LITIGATION

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)  
) Civil Action No. 01-1652 (JAG, Jr.)  
) (Consolidated Cases)

This Document Relates To:

All Actions

)  
) MDL Docket No. 1419  
)  
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**[PROPOSED] ORDER**

1. For purposes of this stipulation, the term "Plaintiffs' Group" shall include all plaintiffs in these consolidated actions as described and set forth in the Case Management Order filed December 11, 2001 and as subsequently amended, and shall consist of the Direct Purchaser Class, the Non-Class Pharmacy Purchasers, the Indirect Purchaser Class, and the Commonwealth of Pennsylvania. The terms "Defendants' Group" shall include all defendants in the coordinated action.

2. The Plaintiffs' Group shall be permitted to take up to thirty-five (35) depositions of fact witnesses (party and non-party), and no deposition shall exceed seven (7) hours, exclusive of breaks, unless agreed to by the parties or ordered by the Court upon good cause shown.

3. The Defendants' Group shall be permitted to take up to thirty-five (35) depositions of fact witnesses (party and non-party), and no deposition shall exceed seven (7) hours, exclusive of breaks, unless agreed to by the parties or ordered by the Court upon good cause shown.

4. Consistent with Federal Rule of Civil Procedure 30(a)(2)(B), depositions taken pursuant to Rule 30(b)(6) shall count as one (1) deposition, regardless of the number of designees.

5. Any provision of this Order may be modified by the agreement of the parties and any party to these consolidated actions may move at any time for modification of any portion of this Order for good cause shown.

IT IS SO ORDERED.

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Honorable G. Donald Haneke  
United States Magistrate Judge

Dated: \_\_\_\_\_